REMARKS

In response to the Office Action mailed September 4, 2007, Applicants respectfully request reconsideration. Claims 1-12 were previously pending in this application. Claims 1-4 have been amended herein. Claim 12 has been canceled without prejudice or disclaimer. As a result, claims 1-11 and 13-16 are pending for examination with claims 1-4 being independent. No new matter has been added.

Rejections under 35 U.S.C. §103

The Office Action rejected independent claims 1-4 under 35 U.S.C. §103 as being purportedly unpatentable over Wariishi et al. (U.S. Patent No. 6,376,765) in view of Osuka (6,812,343). Applicants respectfully request reconsideration.

Although Applicants respectfully disagree that these rejections are proper, independent claims 1-4 have been amended herein to recite that the dye-sensitized type photoelectric conversion device is a dye-sensitized type solar cell. Neither Wariishi nor Osuka teaches or suggests that linked porphyrin is suitable for use as a dye of a dye-sensitized type solar cell. Although Osuka states that linked porphyrin has been investigated based on strong absorbance in the visible region (Col. 1, lines 28-52), Osuka does not suggest that linked porphyrin molecules have strong absorbance outside of the visible region, such as the infrared region of the electromagnetic spectrum that solar cells convert into electricity. In fact, FIG. 2 of Osuka illustrates that the absorbance of linked porphyrin molecules decreases significantly for wavelengths in the infrared region greater than about 900 nm. Since Osuka illustrates a decrease in absorbance within the infrared region, one of ordinary skill in the art would not have expected linked porphyrin to be useful for efficiently converting solar radiation into electricity. Therefore, FIG. 2 of Osuka teaches away from use of linked porphyrin in a solar cell. (See MPEP 2141.02, W.L. Gore & Associates, Inc. v. Garlock, Inc., 721 F.2d 1540, 220 USPQ 303 (Fed. Cir. 1983). For these reasons, claims 1-4 patentably distinguish over Wariishi and Osuka.

Claims 2-11 and 13-16 depend from claims 1-4 and are therefore patentable for at least the same reasons. With respect to new claims 13-16, neither Wariishi nor Osuka teaches or suggests a dye-sensitized solar cell having an efficiency of greater than 7.2%. In fact, Wariishi does not describe any solar cell that has an efficiency above 5.6%, much less a dye-sensitized solar cell having an efficiency above 5.6% (see Tables 3-4 of Wariishi). Support for new claims 13-16 is provided within the present specification, without limitation, at pages 21-22, Table 1.

CONCLUSION

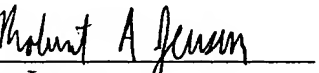
In view of the foregoing, Applicants believe the pending application is in condition for allowance.

A Notice of Allowance is respectfully requested. The Examiner is requested to call the undersigned at the telephone number listed below if this communication does not place the case in condition for allowance.

If this response is not considered timely filed and if a request for an extension of time is otherwise absent, Applicant hereby requests any necessary extension of time. If there is a fee occasioned by this response, including an extension fee, that is not covered by an enclosed check, please charge any deficiency to Deposit Account No. 23/2825.

Dated: March 4, 2008

Respectfully submitted,

By 

Robert A. Jensen
Registration No.: 61,146
WOLF, GREENFIELD & SACKS, P.C.
Federal Reserve Plaza
600 Atlantic Avenue
Boston, Massachusetts 02210-2206
617.646.8000